



Patent Application
Docket No. USF-T150CX
Serial No. 09/955,174

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Jane J. Zara
Art Unit : 1635
Applicant : William G. Kerr
Serial No. : 09/955,174
Filed : September 19, 2001
For : Control of NK Cell Function and Survival by Modulation of SHIP Activity

MS AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION OF WILLIAM G. KERR, Ph.D., UNDER 37 C.F.R. §1.132

Sir:

I, William G. Kerr, Ph.D., of the University of South Florida, hereby declare:

THAT, my *curriculum vitae* is attached hereto as Exhibit A;

THAT, I am a named inventor on the above-referenced patent application;

THAT, I have read and understood the specification and claims of the subject application and
the Office Action dated February 18, 2004;

AND, being thus duly qualified, do further declare:

1. The above-referenced Office Action indicates that claims 1-5, 7-13, 15, and 16 are rejected under 35 U.S.C. §112, first paragraph, as lacking sufficient written description by the patent application.

2. Our invention is based on the unexpected finding that reducing the activity of hematopoietic-specific SH2-containing inositol-5-phosphatase (SHIP) has physiological effects, such as suppression of natural killer (NK) cell-mediated activities, which provide therapeutic benefits in the suppression of transplant rejection and treatment of graft-versus-host disease (GVHD), for example.

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DECLARATION OF WILLIAM G. KERR, Ph.D., UNDER 37 C.F.R. §1.132

Sir:

I, William G. Kerr, Ph.D., of the University of South Florida, hereby declare:

THAT, I am a named inventor on the above-referenced patent application (hereinafter the '174 application);

THAT, my *curriculum vitae* is already of record in the '174 application;

THAT, I have read and understood the specification and claims of the '174 application and the Office Actions dated February 18, 2004 and October 6, 2004;

AND, being thus duly qualified, do further declare:

1. The above-referenced Office Action dated October 6, 2004 indicates that claims 38-73 are rejected under 35 U.S.C. §112, first paragraph, as lacking sufficient written description by the patent application.

2. As indicated at page 8, lines 14-20, and page 31, lines 3-13, of the '174 application, the invention is based on the unexpected finding that reducing the activity of hematopoietic-specific SH2-containing inositol-5-phosphatase (SHIP-1) has physiological effects, such as alteration of natural

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